

FILED

FEB 06 2023

United States District Court  
Eastern District of North Carolina  
Western Division

PETER A. MOORE, JR., CLERK  
US DISTRICT COURT, EDNC  
BY                      DEP CLK

Case No. 5:23-CT-3038-FZ

(To be filled out by Clerk's Office only)

Quajon Antonio Canty

Inmate Number 137339

(In the space above enter the full name(s) of the plaintiff(s).)

**COMPLAINT**

(Pro Se Prisoner)

-against-

Jury Demand?

☐ Yes

☒ No

NEW Hanover County Sheriff Office (NHCSO)  
and, NHCSO deputies Corporal J. Beegle,  
J. Koance and A. Terwilliger. 2.) City of  
Wilmington N.C Police Department (WPD) See

Attached #1

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Section IV. Do not include addresses here.)

**NOTICE**

Federal Rule of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Attachment #1

and WPD OFFICER B.T. PINERO.

## I. COMPLAINT

Indicate below the federal legal basis for your claim, if known. This form is designed primarily for pro se prisoners challenging the constitutionality of their conditions of confinement, claims which are often brought under 42 U.S.C. § 1983 (against state, county, or municipal defendants) or in a "Bivens" action (against federal defendants).

- ☒ 42 U.S.C. § 1983 (state, county, or municipal defendants)
- ☐ Action under *Bivens v. Six Unknown Federal Narcotics Agents*, 403 U.S. 388 (1971) (federal defendants)
- ☐ Action under Federal Tort Claims Act (United States is the proper defendant; must have presented claim in writing to the appropriate Federal agency and received a notice of final denial of the claim pursuant to 28 U.S.C. § 2401(b))

## II. PLAINTIFF INFORMATION

Quajon Antonio Canty  
Name

#137339  
Prisoner ID #

New Hanover County Detention Facility  
Place of Detention

3950 Juvenile Center Road  
Institutional Address

Castle Hayne  
City

N.C.  
State

28429  
Zip Code

## III. PRISONER STATUS

Indicate whether you are a prisoner or other confined person as follows:

- ☒ Pretrial detainee   ☐ State   ☐ Federal
- ☐ Civilly committed detainee
- ☐ Immigration detainee
- ☐ Convicted and sentenced state prisoner
- ☐ Convicted and sentenced federal prisoner

#### IV. DEFENDANT(S) INFORMATION

*Please list the following information for each defendant. If the correct information is not provided, it could result in the delay or prevention of service. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.*

Defendant 1: New Hanover County Sheriff Office (NHCSO)  
Name  
New Hanover County Sheriff Office  
Current Job Title  
3950 Juvenile Center Road  
Current Work Address  
Castle Hayne NC 28429  
City State Zip Code

Capacity in which being sued: ☐ Individual ☐ Official ☒ Both

Defendant 2: Deputy Corporal J. Beegle  
Name  
New Hanover County Sheriff Deputy  
Current Job Title  
3950 Juvenile Center Road  
Current Work Address  
Castle Hayne NC 28429  
City State Zip Code

Capacity in which being sued: ☐ Individual ☐ Official ☒ Both

See Attached #2

**Defendant(s) Continued**

Defendant 3: Deputy John Koonce  
Name  
New Hanover County Sheriff Deputy  
Current Job Title  
3950 Juvenile Center road  
Current Work Address  
Castle Hayne N.C 28429  
City State Zip Code

Capacity in which being sued: ☐ Individual ☐ Official ☒ Both

Defendant 4: Deputy A. Terwilliger  
Name  
New Hanover County Sheriff Deputy  
Current Job Title  
3950 Juvenile Center road  
Current Work Address  
Castle Hayne N.C 28429  
City State Zip Code

Capacity in which being sued: ☐ Individual ☐ Official ☒ Both

## Attachment #2

Defendant 5: City of Wilmington N.C. police Department (WPD)

Name

Wilmington North Carolina police Department

Current job title

615 Bess Street

Current work Address

Wilmington  
City

N.C.  
State

28401  
zip code

Capacity in which being sued: ☐ Individual ☐ Official ☒ Both

Defendant 6: Officer B.T. Pineiro

Name

Wilmington North Carolina Police Officer

Current job title

615 Bess Street

Current work Address

Wilmington  
City

N.C.  
State

28401  
zip code

Capacity in which being sued: ☐ Individual ☐ Official ☒ Both

**V. STATEMENT OF CLAIM**

Place(s) of occurrence: 2100 block of Princess Place Drive Wilmington N.C 28401 see Attached #3

Date(s) of occurrence: MAY 23<sup>RD</sup> 2020 - July 16<sup>th</sup> 2021

State which of your federal constitutional or federal statutory rights have been violated:

Fourth Amendment, Fifth Amendment, and Fourteenth Amendment

*State here briefly the FACTS that support your case. Describe how each defendant was personally involved in the alleged wrongful actions, state whether you were physically injured as a result of those actions, and if so, state your injury and what medical attention was provided to you.*

**FACTS:**

Who  
did what to  
you?

1) ON MAY 23<sup>RD</sup>, 2020 my car was pulled over by WPD OFFICER B.T. Pineiro and NHCSO Deputy John Koonce. Both OFFICIALS state they saw a silver blueish infiniti G35, traveling west on Princess Place Drive without any working tag light (which was false). OFFICER B.T. Pineiro made u-turn and got behind the infiniti and turned on his blue lights and sirens and called for "back up". 2) I pulled the vehicle over to the right side of the road. I was detained and supervised by "back up" Deputy A. Terwilliger while OFFICER B.T. Pineiro, Deputy John Koonce, and "back up" Deputy Cpl. J. Beegle searched my vehicle. During the search of my car OFFICIALS

found 244.07 grams of marijuana, 2 iPhones, 1 Trac phone and and \$866 USD. 3) I was then transported to the Wilmington police department. Where I was strip searched by the four OFFICIALS involved in the traffic stop. During the strip search OFFICIALS found 56.16 grams of cocaine. In result of the illegal search and seizure, eight Felony Charges and Four misdemeanors were brought against me. I was then taken to the New Hanover



## Attachment #3

Place(s) of Occurrence:

- 2.) Wilmington police department, Wilmington N.C 28401
- 3.) New Hanover County Jail, Castle Hayne, N.C 28429
- 4.) Craven Correctional, Vanceboro, N.C 28586
- 5.) Bertie Correctional, Windsor, N.C 27983
- 6.) New Hanover County Jail, Castle Hayne NC 28429



Attachment #4  
(Short Form)

(NHCSO) and NHCSO Deputies Corporal J. Beegle, John Koonce  
and A. Terwilliger. 2.) City of Wilmington N.C Police Department (WPD)  
and WPD Officer B.T. Pineiro.

Defendant/Respondent

What happened to you?

County jail and given an \$250,000 secured bond that I could not afford. 1.) At the time of the incident I was on parole. So having those charges pressed against me violated my parole and activated my nine month sentence. I was sent to prison to serve my parole time. When I returned to the New Hanover County jail I was served with a Federal indictment on the charges brought against me on May 23<sup>rd</sup> 2020. Being that ~~the~~ the charges were no longer state offenses, my bond was taken away. So posting bail was no longer an option even if I could have come up with the money. 2.) While unlawfully incarcerated I lost my job, my car and apartment, also I had to pay for a state attorney before my case went federal. Most importantly I missed the birth of my only child and the first 13 months of his life. time I'll never get back. Plus my fiancée was raising my son alone with a brain disease that causes strokes. Furthermore I was facing 15 to 19 years in prison because the illegal search and seizure, until the charges were dismissed July 14<sup>th</sup> 2021 through a motion to suppress evidence.

When did it happen to you?

1.) All these events occurred between May 23<sup>rd</sup> 2020 and July 16<sup>th</sup> 2021

Where did it happen to you?

- 1.) 2100 block of Princess Place Drive, Wilmington N.C 28401
- 2.) Wilmington police Department, Wilmington N.C 28401
- 3.) New Hanover County jail, Castle Hayne N.C 28429
- 4.) Craven Correctional, Vanceboro N.C 28586
- 5.) Bertie Correctional, Windsor N.C 27983
- 6.) New Hanover County jail, Castle Hayne N.C 28429

What was  
your  
injury?

My injuries were illegal search and seizure, unlawful arrest and incarceration, denial of due process, loss of liberty, mental anguish and emotional distress, and loss of finances and personal property.

## VI. ADMINISTRATIVE PROCEDURES

**WARNING:** Prisoners must exhaust administrative procedures before filing an action in federal court about prison conditions. 42 U.S.C. § 1997e(a). Your case may be dismissed if you have not exhausted your administrative remedies.

Have you filed a grievance concerning the facts relating to this complaint? ☐ Yes ☒ No

If no, explain why not:

I do not know what the grievance process would be since my Complaint is not about prison conditions. When the charges were dismissed I was released from custody. I tried to find a lawyer to help me file my Complaint, but being that I had no money. None of the lawyers were willing to help. And I did not know how to file it myself.

Is the grievance process completed? ☐ Yes ☒ No

If no, explain why not:

Explained above.

## VII. RELIEF

State briefly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

I want to be rewarded \$250,000 in Compensatory damages by the defendants for my losses and personal and irreparable injuries caused by their malfeasance.



## IX. PLAINTIFF'S DECLARATION AND WARNING

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending or modifying existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.**

*Each Plaintiff must sign and date the complaint and provide prison identification number and prison address.*

1-31-2023

Dated

Qua'lon Conty

Plaintiff's Signature

Qua'lon Antonio Conty

Printed Name

#137339

Prison Identification #

3950 Juvenile Center Road, Castle Hayne, N.C 28429

Prison Address

City

State

Zip Code